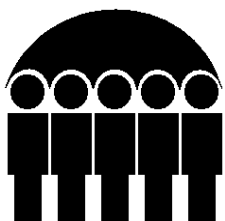


May 4, 2007

Employees' Manual
Title 17
Chapter C

Child Welfare

CASE PLANNING POLICY



Iowa
Department
of
Human Services

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Life of the Case Phase: Case Planning

Child welfare case planning is focused on achieving the following outcomes for children and families:

Safety

- Children are, first and foremost, protected from abuse and neglect.
- Children are safely maintained in their homes whenever possible and appropriate.

Permanency

- Children have permanency and stability in their living situations.
- The continuity of family relationships and connections is preserved for children.

Child and family well-being

- Families have enhanced capacity to provide for their children's needs.
- Children receive appropriate services to meet their educational needs.
- Children receive adequate services to meet their physical and mental health needs.

Outcomes

- Child safety
- Child and family well-being
- Permanency for the child
- Appropriate type, level, and intensity of DHS services and placement
- Active family participation

Decisions

- Type, level, and intensity of services

Criteria

- Allegation findings
- Safety factors
- Risk factors
- Child's and parents' capacity and needs

Scope of Chapter

This chapter includes “high level” statements that summarize the essence of the laws, rules, and Department-required practice associated with child welfare case planning. The administrative rule and state law references are linked to the actual state rule or law chapter. The chapter ends with a table that identifies the topic of the policy and the applicable legal references.

Unless otherwise specified, links to “Procedure” in this chapter refer to Chapter 17-C(1), which describes state procedures for carrying out the case planning process for child welfare cases.

Unless otherwise specified, links to “Practice Guidance” refer to Chapter 17-C(2), which provides background information to support the procedures or policy and the clinical or programmatic rationale for the actions that are required during the case planning phase.

Legal Basis

Federal laws related to child welfare services include:

- ◆ Title IV-B of the Social Security Act, including 42 U.S. Code, section 622, “State plans for child welfare services.”
- ◆ Title IV-E of the Social Security Act, “Foster Care and Adoption Assistance,” including:
 - 42 U.S. Code, section 671, “State plan for foster care and adoption assistance,” on reasonable efforts.
 - 42 U.S. Code, section 675, “Definitions,” on case plans.
 - 42 U.S. Code, section 677, “John H. Chafee Foster Care Independence Program,” on transition planning.
- ◆ Public Law 93-247, the Child Abuse Prevention and Treatment Act of 1974, as amended.
- ◆ Public Law, 95-608, Indian Child Welfare Act of 1978, Policy Sec. 4(4), 101(a), (b), and (c), 102(a), 102(d), 103(a), 105(b), 201.
- ◆ Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980.
- ◆ Public Law 98-457, the Child Abuse Amendments of 1984.

- ◆ Public Law 100-294, the Child Abuse Prevention, Adoption, and Family Services Act of 1988.
- ◆ Public Law 103-432, the Social Security Act Amendments of 1994.
- ◆ Public Law 104-235, the Child Abuse Prevention and Treatment Act of 1996, as amended.
- ◆ Public Law 105-89, the Adoption and Safe Families Act of 1997 (ASFA), which requires accountability by states to keep children safe and healthy and to establish permanency as quickly as possible.
- ◆ Public Law 109-239, the Safe and Timely Interstate Placement of Foster Children Act of 2006.

Federal regulations pursuant to these laws are found in Title 45 Code of Federal Regulations (CFR):

- ◆ Part 96, "Block Grants."
- ◆ Part 1355, "General," requirements for federal financial participation under Titles IV-B and IV-E of the Social Security Act.
- ◆ Part 1356, "Requirements Applicable to Title IV-E."
- ◆ Part 1357, "Requirements Applicable to Title IV-B."

Iowa law related to case planning for children can be found in:

- ◆ Iowa Code Chapter 232, "Juvenile Justice," including:
 - Division I, "Construction and Definitions,"
 - Division III, "Child in Need of Assistance Proceedings," and
 - Division IX, "Interstate Compact on the Placement of Children."
- ◆ Iowa Code Chapter 232B, "Indian Child Welfare Act," which incorporates federal requirements for services to Native American children into state law.
- ◆ Iowa Code Chapter 234, "Child and Family Services," which vests the authority in the Department to use funds for child welfare services.
- ◆ Iowa Code Chapter 235, "Child Welfare," which defines Department responsibilities for child welfare services.
- ◆ Iowa Code Chapter 235A, "Child Abuse," which authorizes the child abuse prevention program and the central child abuse registry and provides procedures for accessing child abuse information.

Departmental rules concerning child welfare case planning are found in 441 Iowa Administrative Code Chapter 130, "General Provisions," and chapter 202, "Foster Care Services."

Case Planning Policy Statements

Link to [Procedure](#)

Link to [Practice Guidance](#)

Engaging the Family

Preparing for Case Planning

Law: [Iowa Code section 232.1](#)

Rule: [441 Iowa Administrative Code 130.1\(234\)](#) and [202.1\(234\)](#)

Policy Statement: The Department is committed to using all available information, including information gained through engaging and partnering with the family, in preparing to develop the family case plan.

Family Meetings

Rule: [441 Iowa Administrative Code 130.7\(234\)](#)

Policy Statement: The Department is committed to a model of child welfare practice that promotes the use of family team decision-making meetings to plan for services to children and families.

Every family shall be offered the opportunity to participate in a family team meeting that is structured within the approved family team decision-making standards, subject to the availability of funds and within the capacity of the service area.

Service areas must have a three-year plan to move toward the goal of having service area capacity to serve every appropriate family using the family team process.

Informed Consent

Rule: [441 Iowa Administrative Code 130.7\(3\)](#)

Policy Statement: Children and families involved with the Department shall at all times be fully informed of their right to make their own decisions and choices concerning programs offered by the Department, unless their right to accept or reject services have been limited by court action.

Assessing Child Safety and Risk

Law: Statewide required practice

Policy Statement: The Department shall conduct a safety assessment at the following critical junctures throughout the course of the Department's involvement with the family:

- ◆ Within 24 hours of first contact during a child protective assessment
- ◆ At completion of the child protective assessment when the child was determined to be conditionally safe during the initial safety assessment
- ◆ Whenever circumstances suggest the child is in an unsafe situation
- ◆ Before the decision to recommend unsupervised visitation
- ◆ Before the decision to recommend reunification
- ◆ Before the decision to recommend closure of protective services

Developing a Safety Plan

Law: Statewide required practice

Policy Statement: When the safety assessment decision is that the child is conditionally safe, a safety plan is required.

Safe Case Closure

Law: Statewide required practice

Policy Statement: Safe case closure requirements shall define:

- ◆ Necessary behavioral patterns that the caregiver must consistently demonstrate to maintain or reunify the family and to conclude external supervision.
- ◆ Sustainable conditions and supports that must be put into place in order to either maintain or reunify the family and to terminate and close external supervision.
- ◆ Methods and timetables for measuring behavioral changes, sustainable conditions and supports, and progress toward meeting goals.

Planning for Permanency

Assessing the Need for Placement

Rule: [441 Iowa Administrative Code 202.2\(2\)](#)

Policy Statement: The need for foster care placement and service shall be determined by an assessment of the child and family to determine their needs and appropriateness of services.

Assessments shall address the educational, physical, psychological, social, family living, and recreational needs of the child and the family's ability to meet these needs. The assessment shall be a continual process to identify needed changes in service or placement for the child.

Efforts to Prevent Removal of a Child

Law: [Iowa Code section 232.78](#) and [232.79A](#)

Rule: [441 Iowa Administrative Code 202.2\(4\)](#)

Policy Statement: Unless the child is in immediate danger at home, the Department shall recommend foster care placement only after efforts have been made to prevent or eliminate the need for removal of the child from the family.

Social History

Law: [Iowa Code sections 232.97](#) and [232.181](#)

Rule: [441 Iowa Administrative Code 202.2\(3\)](#)

Policy Statement: The placing worker shall complete a social history on each child before making a Department recommendation for foster care placement. Exceptions:

- ◆ For voluntary emergency placements, complete a social history before a decision is made to extend the placement beyond 30 days.
- ◆ For court-ordered emergency placements, complete a social history before the disposition hearing.

Establishing the Permanency Goal

Law: 42 USCA 675(5); [Iowa Code section 232.2\(4\)](#)

Rule: 45 CFR 1355.20; [441 Iowa Administrative Code 185.1\(234\)](#) and [202.15\(234\)](#)

Policy Statement: The Department shall establish in the case plan a permanency goal for every child receiving services. The Department shall establish steps and clear time frames for achieving reunification or proceeding with an alternate permanent placement.

Timelines for Permanency

Law: 42 USC 675(5); [Iowa Code section 232.102](#)

Rule: 45 CFR 1355.20; [441 Iowa Administrative Code 130.7\(3\)](#)

Policy Statement: Timelines for permanency are established through the judicial review process in accordance with applicable state and federal statutes.

Reasonable Efforts to Achieve Permanency Goal

Law: 42 USC 671(a)(15)(B)(ii), 675(1)(a), 675(5);
[Iowa Code section 232.102](#)

Rule: 45 CFR 1355.20; [441 Iowa Administrative Code 130.7\(3\)](#)

Policy Statement: The Department shall make reasonable efforts to provide to the family the services necessary for the safe return of the child to the child's home, or if reunification is not possible to achieve an alternate permanency goal. The case plan shall document child-specific recruitment efforts to facilitate a timely in-state or interstate permanency placement.

Concurrent Planning

Law: [Iowa Code sections 232.2\(4\)](#) and [232.102\(10\)](#)

Rule: [441 Iowa Administrative Code 130.7\(234\)](#)

Policy Statement: Concurrent planning means the Department may, depending on the assessment of the child and family, make plans for reunification of the child while simultaneously establishing one or more alternative permanency options.

Termination of Parental Rights

Law: [Iowa Code section 232.111\(2\)“b”](#)

Policy Statement: When a child has been in foster care under the responsibility of the state for 15 of the most recent 22 months, the Department shall initiate the process to file a petition to terminate parental rights.

The petition must be filed by the end of the child's fifteenth month in foster care unless the case plan documents compelling reasons why termination of parental rights would not be in the best interest of the child.

Transition Planning

Law: 42 USC 675(1)(c); 42 USC 677; [Iowa Code section 232.2\(4\)“f”](#)

Policy Statement: For all youth in foster care who are 16 years of age and older, the case plan must include a written plan of services which, based upon an assessment of the youth's needs, would assist the youth in preparing for the transition from foster care to adulthood.

This includes appropriate referrals to programs and services for youth in care and referrals to ensure that supports are in place upon the youth's discharge. For those youth who may reasonably need services as an adult, the plan of services and needs assessment shall be developed with those expected to be a service provider or who will be responsible for the cost of services when the youth becomes an adult.

A free copy of the youth's health and education record must be provided to youth when the youth exits from foster care at 18 years of age or older.

Developing the Initial Case Plan

Law: 42 USCA 671(a)(15)(A), 671(a)22, 675(1), and 675(15);
[Iowa Code section 232.2\(4\)](#)

Rule [441 Iowa Administrative Code 130.7\(234\)](#) and [202.15\(234\)](#)

Policy Statement: The Department shall develop a case plan that meets federal and state requirements. A case plan will be developed in partnership with each child and family receiving services.

The case plan shall define the change requirements to be met by the family and frame a long-term view of what it takes for the family to live together safely and successfully, independent of outside supervision.

The case plan shall specify the necessary behavior patterns that must be consistently demonstrated by the caregiver to reunify the family and to conclude external supervision by the court and the Department.

The case plan shall also include sustainable conditions and supports necessary to reunify the family and conclude external supervision by the Court and the Department.

For cases in which the child is currently residing with their parents, the case plan state whether the child would be at "imminent risk of removal" from the home if in-home services were not provided. (The statement is not required when the child is in placement and services are being provided to work toward reunification or another permanency goal.)

The worker shall document in the case plan whether DHS would ask the court to consider removal if the family refused or terminated in-home services. Cases that meet this standard are eligible for federal Title IV-E funding as candidates for foster care.

Family Strengths and Needs

Law: 42 USCA 671(a)(15)(A), 671(a)22, 675(1), and 675(15);
[Iowa Code section 232.2\(4\)](#)

Rule: [441 Iowa Administrative Code 130.6\(2\)](#)

Policy Statement: The Department is committed to completing a thorough assessment that identifies strengths and needs for each child and family. Strengths are the foundation for the case planning process and the basis upon which solutions to concerns are based.

Strengths must be family member assets that can be used to help families change. Strengths are defined and connected with a family need. There must be a clear connection between the strategies or intervention utilized to help the family change and the identified strengths.

Addressing Safety Issues

Law: 42 USCA 671(a)(15)(A), 671(a)22, 675(1), and 675(15);
[Iowa Code section 232.2\(4\)](#)

Rule: [441 Iowa Administrative Code 130.7\(234\)](#)

Policy Statement: The safety of children is the paramount concern that must guide all child welfare services. Children shall be protected from abuse and shall be safely maintained in their homes whenever possible.

Goals, Services, and Strategies

Law: 42 USCA 671(a)(15)(A), 671(a)22, 675(1), and 675(15);
[Iowa Code section 232.2\(4\)](#)

Rule: [441 Iowa Administrative Code 130.7\(1\)](#)

Policy Statement: In partnership with the family, the worker shall develop goals and strategies that are measurable and build on client strengths whenever possible. The foundation for developing effective strategies is rooted in a thorough functional assessment. The purposes of strategies are to identify actions that must occur in order to reach the desired goals.

Health and Education Records

Law: 42 USCA 675(1)(c); [Iowa Code section 232.2\(4\)](#)

Rule: [441 Iowa Administrative Code 130.7\(2\)](#)

Policy Statement: The case plan for a child in placement shall include the most recent information available concerning the child's health and education records.

Completing the Case Plan

Law: 42 USCA 675(5)(c)(iii); [Iowa Code section 232.2\(4\)](#)

Rule: [441 Iowa Administrative Code 130.7\(234\)](#)

Policy Statement: The case plan shall be developed and filed in the case record before purchased services begin unless:

- ◆ The Department receives judicial notice that services have been court-ordered. The case plan shall be completed within 45 days from the date notice is received.
- ◆ An unanticipated service is provided for the protection and well being of a child. Assessment begins immediately. The case plan shall be completed within 45 days from the date one of the following services begins:
 - Emergency shelter care or other foster care
 - Family-centered services

Documenting Family Participation in the Case Plan

Law: 42 USCA 675(5)(c)(iii); [Iowa Code section 232.2\(4\)](#)

Rule: 42 CFR 1355.25; [441 Iowa Administrative Code 130.7\(234\)](#)

Policy Statement: To the fullest extent possible the Department shall provide opportunities for the family to participate in the development of the case plan. The family will be provided opportunities to make comments or indicate their agreement with the case plan.

Reviewing the Case Plan

Law: 42 USCA 675; [Iowa Code section 232.2](#)

Rule: [441 Iowa Administrative Code 130.7\(4\)](#)

Policy Statement: The status of each child shall be reviewed periodically but no less frequently than every six months by a court or by administrative review in order to determine:

- ◆ The safety of the child,
- ◆ The continuing necessity for and appropriateness of placement, and
- ◆ The extent of compliance with the case plan and the extent of progress that has been made toward alleviating or mitigating the causes necessitating services.

“Administrative review” means a review open to the participation of the parent of the child, conducted by a panel of appropriate persons, at least one of whom is not responsible for the case management of or delivery of services to either the child or the parents who are the subject of the review.

Risk Reassessment

Law: 42 USCA 675

Rule: [441 Iowa Administrative Code 130.7\(234\)](#)

Policy Statement: The worker shall continuously monitor and assess risk of abuse or re-abuse for each child and family.

When case plans for in-home services are reviewed, the worker shall review and document whether the child would be at “imminent risk of removal” from the home if in-home services were not provided. Cases that meet this requirement are eligible for federal Title IV-E funding as “candidates for foster care.”

Evaluating the Case Plan

Rule: [441 Iowa Administrative Code 130.7\(4\)](#)

Policy Statement: The worker shall to determine progress toward achieving the desired results. The plan must include a likely date by which the child may be returned to and safely maintained in the home or placed for adoption or legal guardianship.

Reassessing Strengths and Needs of the Child and Family

Rule: [441 Iowa Administrative Code 130.7\(4\)](#), [130.7\(5\)](#)

Policy Statement: Throughout the service process, the worker shall continuously reassess the strengths and needs of the child and family and use this information to modify and update the family case plan.

Case Planning for Native American Children

Inquiry About Native American Ancestry

Law: Public Law 95-608, section 4(4); [Iowa Code section 232B.4](#)

Policy Statement: Department staff shall make inquiries regarding tribal membership or eligibility for tribal membership for all children accepted for services. Staff shall document these inquiries and inform the court about them.

Involvement of Tribal Representatives

Law: Public Law 95-608; [Iowa Code section 232B.2](#)

Policy Statement: The Department shall seek the involvement of tribal representatives, as well as other persons with specific knowledge of Native American culture and child-rearing practices in child welfare case assessment and case planning for Native American children.

Child Custody Proceedings

Law: Public Law 95-608, sections 101(c), 102(a), 103(a);
[Iowa Code section 232B.5](#)

Policy Statement: In a state court proceeding for the placement of an Indian child in foster care or a termination of parental rights, the Indian child's custodian or the tribe shall have the right to intervene at any point in the proceeding.

Notification of Involuntary Custody Proceedings

Law: Public Law 95-608, section 102(f); [Iowa Code section 232B.5](#)

Policy Statement: When an Indian child is involved in a foster care placement or termination of parental rights, the party seeking the action shall notify the parent, the Indian custodian, or the Indian child's tribe of the pending proceedings by registered mail.

If the identity or location of the parent, the Indian custodian, or the Indian child's tribe cannot be determined, the Secretary of the Interior shall be notified by registered mail.

No foster care placement shall be made nor shall there be a hearing for termination of parental rights until at least ten days after receipt of notification by the parents or custodian or the tribe.

Transfer to Indian Tribal Court

Law: Public Law 95-608, sections 101(a), (b), & (c);
[Iowa Code section 232B.5](#)

Policy Statement: Proceedings involving an Indian child shall be transferred to the Indian tribal court when the child:

- ◆ Resides on a reservation that has a tribal court, or
- ◆ Is a ward of the tribal court, regardless of where the child resides, or
- ◆ Resides on the reservation of heritage and federal law does not specify contrary jurisdiction, or
- ◆ Is a resident of a reservation that has a tribal court although presently residing off the reservation.

Either parent of the child, the custodian, or the tribal court may object to this transfer. If objection occurs, the case shall proceed in state court.

Interstate Transfer of an Indian Child

Law: Public Law 95-608; [Iowa Code section 232B.5](#)

Policy Statement: When a child has tribal heritage with a tribe whose residence is in a state other than Iowa, and the child is involved in initial proceedings in a child custody action, the Department shall notify the parents and custodian, the tribe, and the Secretary of the Interior, and will initiate transfer proceedings to that tribe.

Efforts to Maintain the Family Unit

Law: Public Law 95-608, section 102(d); [Iowa Code section 232B.5\(19\)](#)

Policy Statement: Any party seeking to effect a foster care placement or termination of parental rights to an Indian child under state law shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have been unsuccessful.

Standards of Evidence

Law: Public Law 95-608; [Iowa Code section 232B.5\(2\)](#)

Policy Statement: The standard of evidence for foster care placements of Indian children is "clear and convincing" evidence that continued custody of the child by the child's parent or Indian custodian is likely to result in serious emotional or physical damage to the child. For termination of parental rights and pre-adoptive or adoptive proceedings, the evidentiary standard is "beyond a reasonable doubt."

Use of Expert Witnesses

Law: Public Law 95-608, section 102(f); [Iowa Code section 232B.10](#)

Policy Statement: Before ordering foster care or termination of parental rights, the judge must hear testimony from one or more qualified expert witnesses with specific knowledge of the child's Indian tribe. Placement shall be ordered only with a determination supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

Placement Requirements

Voluntary Placement of Indian Children

Law: Public Law 95-608; [Iowa Code section 232B.7](#)

Policy Statement: To be valid, a voluntary consent to either foster care placement or termination of parental rights for an Indian child must:

- ◆ Be executed in writing;
- ◆ Be executed at least ten days after the child's birth;
- ◆ Be recorded before a judge; and
- ◆ Be accompanied by the judge's certification that all terms and consequences of the consent were fully explained in detail and were fully understood by the child's parent or custodian.

Emergency Removal of Indian Child

Law: Public Law 95-608, section 112; [Iowa Code section 232B.6](#)

Policy Statement: An Indian child may be removed from the parental home and placed in an emergency foster home when the child is in imminent danger or physical danger or harm. The placement shall end immediately when no longer necessary to prevent physical danger or have, and the child shall be returned to the child's parent or Indian custodian, unless other wise ordered or agreed.

Placement Preference Hierarchy

Law: Public Law 95-608, sections 105(d) and 301(a);
[Iowa Code section 232B.9](#)

Policy Statement: Preference requirements shall be the prevailing social and cultural standards of the Indian community in which the parent or extended family resides or maintains cultural ties.

Preference will be given to placing Indian children with relatives and extended family members, as defined by tribal customs and practices, rather than in non-related foster care settings.

In the absence of such law or custom, the extended family shall include a person who has reached the age of 18 and who is the Indian child's grandparent, aunt, uncle, brother, sister, brother-in-law, sister-in-law, niece, nephew, first or second cousin or step-parent.

Foster Care or Pre-Adoptive Placement Preference

Law: Public Law 95-608, section 105(d);
[Iowa Code section 232B.9\(2\)](#)

Policy Statement: Any child accepted for foster care or pre-adoptive placement shall be placed in the least restrictive setting which most approximates a family and in which the child's special needs, if any, may be met. In the absence of good cause to the contrary, preference shall be given to:

- ◆ A member of the Indian child's extended family,
- ◆ A foster home approved by the Indian child's tribe,
- ◆ An Indian foster home approved by the Department, or
- ◆ An institution for children approved by the Indian tribe.

Adoptive Placement Preference

Law: Public Law 95-608, section 105(c); [Iowa Code section 232B.9](#)

Policy Statement: Placement preference shall be given (in absence of good cause to the contrary) in the following in order:

- ◆ A member of the child's extended family,
- ◆ Other members of the Indian child's tribe, or
- ◆ Another Indian family.

However, if the child's tribe has established a different order or preference by resolution, the agency or court affecting the plan shall follow such order so long as the plan is in the least restrictive environment appropriate to the needs of the particular child.

Adoption Vacated Upon Voluntary Consent of Adoptive Parents

Law: Public Law 95-608, section 106(a); [Iowa Code section 232.116](#) and [232B.8](#)

Policy Statement: Whenever a final decree of adoption of an Indian child has been vacated and the adoptive parents have voluntarily consented to termination of their parental rights, a biological parent or prior Indian custodian may petition for return of child. The court shall grant such petition unless there is showing that such return of child is not in the best interests of the child.

Records Retention and Access

Child Welfare Records

Law: Public Law 95-608, section 105(e); [Iowa Code section 232B.13](#)

Policy Statement: If placement is made of an Indian child, the state must keep a record of such placement that evidences the efforts to comply with the order of preference specified. Such records will be made available at any time upon the request of the Secretary or the Indian child's tribe.

Adoption Records

Law: Public Law 95-608, section 201; [Iowa Code section 232B.13](#)

Policy Statement: Any state court entering a final decree or order of any Indian child adoptive placement after the date of enactment of this Act shall provide the Secretary of the Interior with a copy of such decree or order together with such other information that documents:

- ◆ The name and tribal affiliation of the child.
- ◆ The names and addresses of the biological parents.
- ◆ The names and addresses of the adoptive parents.
- ◆ The identity of any agency having files or information relating to such adoptive placement.

Case Planning for Children With Mexican Citizenship

Law: Vienna Convention on Consular Relations; Consular Convention Agreement between the United States and Mexico

Policy Statement: The Department shall assess whether a child taken into state custody is a Mexican national or a multiple-nationality minor. If so, the Department shall involve the Mexican Consulate in case planning for the child according to the terms of the Memorandum of Understanding Between the State of Iowa and the United States of Mexico Concerning Child Welfare Cases Involving Mexican National and Multiple Nationality Minors.

Interstate Placement

Law: 42 USC 471(a), Kinship Care; [Iowa Code sections 232.158 – 232.164](#)

Policy Statement: All placements of children across state lines shall comply with the requirements of the Interstate Compact on Placement of Children. When the placement involves a parent or relative, the permanency planning and best interests of the child need to be maintained.

Summary of Case Planning References

Case Planning Activity	Law	Rule
Engaging the family		
Preparing for case planning	IA Code § 232.1	441 IAC 130.1(234), 202.1(234)
Family meetings		441 IAC 130.7(234)
Informed consent		441 IAC 130.7(3)
Assessing child safety and risk	Statewide required practice	
Developing a safety plan	Statewide required practice	
Planning for safe case closure	Statewide required practice	
Planning for permanency		
Assessing the need for placement		441 IAC 202.2(2)
Efforts to prevent removal of a child	IA Code § 232.78, 232.79A	441 IAC 202.2(4)
Social history	IA Code § 232.97, 232.181	441 IAC 202.2(3)
Establishing the permanency goal	42 USCA § 675(5) IA Code § 234.2(4)	45 CFR 1355.20 441 IAC 185.1(234), 202.15(234)
Timelines for permanency	42 USC § 675(5) IA Code § 232.102	45 CFR 1355.20 441 IAC 130.7(3)
Reasonable efforts to achieve permanency goal	42 USC § 671(a)(15)(B)(ii), 675(1)(a), 675(5) IA Code § 232.102	45 CFR 1355.20 441 IAC 130.7(3)
Concurrent planning	IA Code § 232.2(4), 232.102(10)	441 IAC 130.7(234)
Termination of parental rights	IA Code § 232.111(2)“b”	
Transition planning	42 USC § 675(1)(c), 42 USC § 677 IA Code § 232.2(4)“f”	

Case Planning Activity	Law	Rule
Developing the initial case plan	42 USCA § 671(a)(15)(A), 671(a)22, 675(1), 675(15) IA Code § 232.2(4)	441 IAC 130.7(234), 202.15(234)
Family strengths and needs	42 USCA § 671(a)(15)(A), 671(a)22, 675(1), 675(15) IA Code § 232.2(4)	441 IAC 130.6(2)
Addressing safety issues	42 USCA § 671(a)(15)(A), 671(a)22, 675(1), 675(15) IA Code § 232.2(4)	441 IAC 130.7(234)
Goals, services, and strategies	42 USCA § 671(a)(15)(A), 671(a)22, 675(1), 675(15) IA Code § 232.2(4)	441 IAC 130.7(1)
Health and education records	42 USCA § 675(1)(c) IA Code § 232.2(4)	441 IAC 130.7(2)
Completing the case plan	42 USCA § 675(5)(c)(iii) IA Code § 232.2(4)	441 IAC 130.7(234)
Documenting family participation in the case plan	42 USCA § 675(5)(c)(iii) IA Code § 232.2(4)	42 CFR 1355.25; 441 IAC 130.7(234)
Reviewing the case plan	42 USCA 675 IA Code § 232.2	441 IAC 130.7(4)
Risk reassessment	42 USCA 675	441 IAC 130.7(234)
Evaluating the case plan		441 IAC 130.7(4)
Reassessing strengths and needs of the child and family		441 IAC 130.7(4) 441 IAC 130.7(5)
Case planning for Native American children		
Inquiry about Native American ancestry	Public Law 95-608, § 4(4) IA Code § 232B.4	
Involvement of tribal representatives	Public Law 95-608 IA Code § 232B.2	
Child custody proceedings	Public Law 95-608, § 101(c), 102(a), 103(a) IA Code § 232B.5	
Notification of involuntary custody proceedings	Public Law 95-608, § 102(f) IA Code § 232B.5	

Case Planning Activity	Law	Rule
Transfer to Indian tribal court	Public Law 95-608, § 101(a), 101(b), 101(c) IA Code § 232B.5	
Interstate transfer of an Indian child	Public Law 95-608 IA Code § 232B.5	
Efforts to maintain the family unit	Public Law 95-608, § 102(d) IA Code § 232B.5(19)	
Standards of evidence	Public Law 95-608 IA Code § 232B.5(2)	
Use of expert witnesses	Public Law 95-608, § 102(f) IA Code § 232B.10	
Placement requirements		
Voluntary placement of Indian children	Public Law 95-608, IA Code § 232B.7	
Emergency removal of Indian child	Public Law 95-608, § 112 IA Code § 232B.6	
Placement preference hierarchy	Public Law 95-608, § 105(d), 301(a) IA Code § 232B.9	
Foster care or pre-adoptive placement preference	Public Law 95-608, § 105(d) IA Code § 232B.9(2)	
Adoptive placement preference	Public Law 95-608, § 105(c) IA Code § 232B.9	
Adoption vacated upon voluntary consent of adoptive parents	Public Law 95-608, § 106(a) IA Code § 232.116, 232B.8	
Records retention and access		
Child welfare records	Public Law 95-608, § 105(e) IA Code § 232B.13	
Adoption records	Public Law 95-608, § 201 IA Code § 232B.13	
Case planning for children with Mexican citizenship	Vienna Convention on Consular Relations; Consular Convention Agreement between the United States and Mexico	
Interstate placement	42 USC 471(a), Kinship Care IA Code § 232.158 – 232.164	



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

May 4, 2007

GENERAL LETTER NO. 17-C-11

ISSUED BY: Bureau of Protective Services,
Division of Child and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter C, **CASE PLANNING POLICY**,
Title page, new; Contents (pages 1 and 2), new; and pages 1 through
18, new.

Summary

Portions of Employees' Manual Chapter 18-A, **CHILD WELFARE GENERAL REQUIREMENTS**, have been redesigned into policy, procedure, and practice guidance subchapters reflecting the phase in the life of the case pertinent to case planning. The new case planning chapters are:

- ◆ 17-C, **CASE PLANNING POLICY**, which contains succinct, "high level" statements that summarize the essence of the associated laws, rules, and Department-required practice. The administrative rule and state law references are linked to the actual state rule or law chapter.
- ◆ 17-C(1), **CASE PLANNING PROCEDURES**, which tells what the Department service worker should do in the logical order of when and how to do the work.
- ◆ 17-C(2), **CASE PLANNING PRACTICE GUIDANCE**, which provides background information to support the procedures or policy and the clinical or programmatic rationale for the actions that are required.
- ◆ 17-C(3), **ADDITIONAL CASE PLANNING INFORMATION**, which contains information that is lengthy or used only in specific situations. These topics may be accessed through hypertext links in the policy, procedure, or guidance chapters.

Hypertext links in all of the chapters connect to the other case planning chapters, additional information on a topic, or a specific form or tool.

This letter transmits new chapter 17-C, which also includes policies formerly included in Employees' Manual Chapters 13-N(1), **INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN**, and XIII-Z, **INDIAN CHILD WELFARE ACT**.

Policy Changes

Policy changes reflected in the chapter include:

- ◆ Elimination of references to rehabilitative treatment services. Authorizations for rehabilitative treatment services ceased as of December 31, 2006, and all services shall terminate by June 30, 2007.
- ◆ Addition of new case plan requirements from Public Law 109-239, the Safe and Timely Interstate Placement of Foster Children Act of 2006. When a child is in placement, the child's case plan shall include:
 - The most recent available information concerning the child's medical and educational records; and
 - Documentation of child-specific recruitment efforts to facilitate a timely and orderly in-state or interstate permanency placement.

These requirements shall be addressed at the next review of the child's case plan.

Effective Date

Upon receipt.

Material Superseded

None.

Additional Information

Refer questions about this general letter to your area service administrator.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

June 29, 2007

GENERAL LETTER NO. 17-C-12

ISSUED BY: Bureau of Protective Services,
Bureau of Child Care and Community Services,
Division of Child and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter C, **CASE PLANNING POLICY**,
Contents (page 1), revised; and pages 4, 7 through 10, 16, 17, and 18,
revised; and page 10a, new.

Summary

This chapter has been revised to:

- ◆ Add policy statement for informed consent, risk reassessment, evaluating the case plan, and reassessing the strengths and needs of the child family that were inadvertently omitted from the original publication of this chapter.
- ◆ Incorporate policy on determining "imminent risk of removal" as a qualification for Title IV-E-funding for a child who is a "candidate or foster care."
- ◆ Clarify that a free copy of the youth's health and education record must be provided to youth when they exit from foster care at 18 years of age or older.

Effective Date

July 1, 2007

Material Superseded

Remove the following pages from Employees' Manual, Title 17, Chapter C, and destroy them:

<u>Page</u>	<u>Date</u>
Contents (page 1)	May 4, 2007
4, 7-10, 16-18	May 4, 2007

Additional Information

Refer questions about this general letter to your area service administrator.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

September 28, 2007

GENERAL LETTER NO. 17-C-13

ISSUED BY: Bureau of Protective Services,
Bureau of Child Care and Community Services,
Division of Child and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter C, **CASE PLANNING POLICY**,
Contents (pages 1 and 2), revised; and pages 6, 7, 10, 16, 17, and 18,
revised; and page 4a, new.

Summary

This chapter has been revised to:

- ◆ Add policy statement for assessing safety and risk, developing a safety plan, and planning for safe case closure.
- ◆ Clarify that transition planning must include referrals to appropriate services to assist youth before and after their discharge from foster care.
- ◆ Correct a typographical error.

Effective Date

October 1, 2007

Material Superseded

Remove the following pages from Employees' Manual, Title 17, Chapter C, and destroy them:

<u>Page</u>	<u>Date</u>
Contents (page 1)	June 29, 2007
Contents (page 2)	May 4, 2007
6	May 4, 2007
7, 10, 16-18	June 29, 2007

Additional Information

Refer questions about this general letter to your area service administrator.